

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

LEE *et al.*

Appl. No.: 10/521,313

§ 371 Filing Date: January 14, 2005

For: **HER-2 NEU DNA VACCINE HAVING  
ANTI-CANCER ACTIVITY**

Confirmation No.: 9295

Art Unit: 1633

Examiner: Hill, Kevin Kai

Atty. Docket: 2298.0080002/EJH/BNC

**Amendment and Reply Under 37 C.F.R. §§ 1.111 and 1.114**

*Mail Stop RCE*

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated August 21, 2007, Applicants submit the following Amendment and Remarks. This Amendment is accompanied by a Request for Continued Examination. Applicants respectfully request that the finality of the Office Action be withdrawn.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks and Arguments** begin on page 7 of this paper.

**Exhibits 1-3** are attached hereto, following page 25 of this paper.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.